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PATENT TRADEMARK OFFICE

Patent
Case No.: 55944US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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ATTORNEY MGG
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First Named Inventor:	WEISS, DOUGLAS E.		
Application No.:	09/853217	Group Art Unit:	1762
Filed:	May 11, 2001	Examiner:	Elena Tsoy
Title:	PULSED ELECTRON BEAM POLYMERIZATION		

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

December 16, 2002 — Melanie Gover
Date — Signed by: Melanie Gover

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This response is to the Office Action mailed November 20, 2002.

Claims 1 – 22 have been restricted under 35 U.S.C. § 121 as follows:

I. Claims 1 – 17 are said to be drawn to a polymerization method, classified in Class 427, subclass 487;

II. Claim 18 is said to be drawn to a polymerization method, classified in Class 427, subclass 496;

III. Claims 19 – 22 are said to be drawn to a method of polymerizing a polymerizable composition on a substrate for producing a pressure-sensitive article, classified in Class 427, subclass 487.

Applicants hereby elect Group I (i.e., claims 1 – 17), with traverse, and respectfully request reconsideration and withdrawal or modification of the restriction.

In Group I, Applicants broadly claim a polymerization method.

The Restriction Requirement (Paper No. 6) in Paragraphs 2-4 states:

"Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different

functions, or different effects (MPEP § 806.4, MPEP § 808.01). In the instant case the inventions I and II are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects since invention II uses both a continuous beam of accelerated electrons and pulses of accelerated electrons to polymerize a polymerizable composition whereas invention I uses only pulses of accelerated electrons.

Inventions I and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the inventions I and III are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects since method of invention III produces a pressure-sensitive article versus a polymer coated substrate of invention I.

Inventions II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the inventions II and III they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects since invention II uses both a continuous beam of accelerated electrons and pulses of accelerated electrons to polymerize a polymerizable composition whereas invention III uses only pulses of accelerated electrons."

Notwithstanding that the Groups I, II, and III claims may not be capable of use together and may have different modes of operation, functions, and effects, Applicants submit the inventions are so interrelated that a search of one group of claims will reveal art to the others, especially because they are all in the same class. The classification of Groups I, II, and III claims in different subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I, II, and III, a separate examination of the claims in Groups I, II, and III would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I, II and III would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I, II, and III, it would place an undue burden on Applicants' assignee by requiring payment of a separate

filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting three applications and maintaining three patents.

Respectfully submitted,

By Melanie Gover

Melanie Gover

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December 12 2002	

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Application Of

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Attorney (initials)

First Named Inventor: Wloss, Douglas E.

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Enclosures:

RESPONSE TO RESTRICTION REQUIREMENT

Amount charged to Deposit Account: $-0-

Attorney (initials): MGG:kms

Date: December 6, 2002